

continued competitive position of all U.S. companies. I anticipate that we will bring such a bill to the floor in the very near future.

Mr. HOYER. I presume, as well, that when and if that is brought to the floor, because there has been some real disagreement on who that bill ought to advantage and focus on as the gentleman knows in terms of domestic manufacturers as opposed to manufacturers who do a lot of work overseas, and hopefully we will be able to offer alternatives to certainly the bill that was reported out last year, if it is the same bill. As the gentleman knows, we would have an alternative to that. Can the leader give us assurance that we will have that option?

Mr. DELAY. The gentleman knows that it is the tradition of the House to keep Ways and Means tax bills very tight. We have always as a tradition discouraged amendments, but we have encouraged substitutes. I cannot speak for the Committee on Rules; but if there are alternatives in the form of substitutes, then they will be taken into consideration.

Mr. HOYER. I thank the gentleman for that observation. One additional observation. That is obviously an important option. I think the gentleman states correctly the practice of the House under both Democrats and Republicans.

Mr. FRANK of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. HOYER. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. If I could ask the gentleman from Texas, I like to keep up with new trends in the House. I was struck when the gentleman from Texas, the majority leader, said he could not speak for the Rules Committee.

Is that a new development we had not previously known about?

Mr. DELAY. That tradition remains the same, I would say to my friend from Massachusetts.

Mr. HOYER. I thought of that question, Mr. Leader, but I thought it was probably not worth asking because I knew the answer. But to the other question, with respect to offering substitutes, very frankly, what happens is you can offer a substitute, but if it is not germane and you do not receive a waiver when you are granted the right to offer the substitute, obviously on the one hand you have the ability to offer a substitute, but you do not really have the ability to offer an alternative. There is a very substantial difference.

I do not necessarily expect an answer today, but I really would hope, because we are talking about very significant, important issues, where there are differences in a bipartisan fashion on either alternative, that alternatives should be allowed that are consistent with the objective, although, as the leader well knows, from time to time because of what is or is not included in the committee product may or may not

be germane even though it is pointed to the subject. I offer that as food for thought because I think it is fair and I think it would be good for the American public to have a broader spectrum of options than is sometimes allowed to us, notwithstanding the fact that theoretically a substitute is made available.

I think the gentleman understands my point, and I thank the gentleman for the information.

PERMISSION FOR COMMITTEE ON THE JUDICIARY TO HAVE UNTIL MIDNIGHT, FRIDAY, MARCH 5, 2004, TO FILE A REPORT ON H.R. 339, PERSONAL RESPONSIBILITY IN FOOD CONSUMPTION ACT

Mr. DELAY. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary may have until midnight on Friday, March 5, 2004, to file a report to accompany H.R. 339.

The SPEAKER pro tempore (Mr. LATOURETTE). Is there objection to the request of the gentleman from Texas?

There was no objection.

ADJOURNMENT TO MONDAY, MARCH 8, 2004

Mr. DELAY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at noon on Monday, March 8, 2004.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

HOUR OF MEETING ON TUESDAY, MARCH 9, 2004

Mr. DELAY. Mr. Speaker, I ask unanimous consent that when the House adjourns on Monday, March 8, 2004, it adjourn to meet at 12:30 p.m. on Tuesday, March 9, for morning hour debates.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. DELAY. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

COURT RULING UPHOLDS INTENT OF CONGRESS IN PASSING TELECOMMUNICATIONS ACT OF 1996

(Mr. SHIMKUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHIMKUS. Mr. Speaker, like many of my colleagues, I was delighted to see that the U.S. Court of Appeals for the District of Columbia issued a ruling yesterday that upholds the intent of Congress in passing the Telecommunications Act of 1996. The court found that the FCC did not comply with the Telecom Act when it voted 3 to 2 last year to adopt its highly controversial Triennial Review Order. This marks the third time since 1996 that the FCC's rules have been rejected by U.S. courts.

In its ruling, the appeals court pointed to the commission's failure, after 8 years, to develop lawful unbundling rules and its apparent unwillingness to adhere to prior judicial rulings. FCC Chairman Michael Powell, who was one of the two commissioners to oppose the Triennial Review Order, has voiced his opposition to any appeal of the court's decision and has said, appropriately, that the FCC should expeditiously get to work to produce a set of judicially sound rules once and for all. I fully support the position taken by Chairman Powell and urge the commission to prepare rules to provide the needed clarity and guidance to restore the health and economic vitality of our Nation's telecommunications sector.

SPECIAL ORDERS

The SPEAKER pro tempore (Mrs. BLACKBURN). Under the Speaker's announced policy of January 7, 2003, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

ORDER OF BUSINESS

Mr. MCGOVERN. Madam Speaker, I ask unanimous consent that I may proceed out of order and do my 5 minutes now.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

CATHOLIC RELIEF SERVICES BRINGS FOOD AND EDUCATION TO THE CHILDREN OF BENIN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. MCGOVERN) is recognized for 5 minutes.

Mr. MCGOVERN. Madam Speaker, right now there are more than 300 million chronically hungry children in the world. 130 million, mainly girls, do not attend schools. The other 170 million go to school on an empty stomach, stunting their ability to learn. I want